

[Sri R. Venkataraman] [17th August 1963]

The Amendment was put and carried.

Clause 1, as amended, and the Preamble were put and carried.

THE HON. SRI R. VENKATARAMAN : Sir, I move—

‘ That the Madras Minor Inams (Abolition and Conversion into Ryotwari) Bill, 1962 (L.A. Bill No. 3 of 1962), as amended, be passed. ’

MR. SPEAKER : The question is—

‘ That the Madras Minor Inams (Abolition and Conversion into Ryotwari) Bill, 1962 (L.A. Bill No. 3 of 1962), as amended, be passed ’.

The motion was put and carried, and the Bill, as amended, was passed.

(3) THE MADRAS LEASE-HOLDS (ABOLITION AND CONVERSION INTO RYOTWARI) BILL, 1962 (L.A. BILL NO. 4 OF 1962.)

* THE HON. SRI R. VENKATARAMAN : Mr. Speaker, Sir, I move—

‘ That the Madras Lease-holds (Abolition and Conversion into Ryotwari) Bill, 1962 (L.A. Bill No. 4 of 1962) as amended by the Joint Select Committee *, be taken into consideration.’

Sir, the Madras-Lease-holds (Abolition and Conversion into Ryotwari) Bill was considered by the Select Committee. The Committee has introduced a provision enabling the lessee to collect the arrears of rent and the ryot to pay it in instalments. It has also introduced a provision as in the other Bills relating to the fixation of the ceiling area. Since the introduction of this Bill, the tenure of Mukhthapudupattu village, Saidapet Taluk, Chingleput district, which was under investigation, has been ascertained to be a lease-hold and, therefore, it has been added to the First Schedule.

The compensation under this Bill is—

(a) in respect of perpetual leases—Ten times the basic annual sum; and

(b) in other cases five times the basic annual sum.

Ryotwari patta follows ownership. Cultivation for 12 years will also perfect a person's title.

MR. SPEAKER : The question is—

‘ That the Madras Lease-holds (Abolition and Conversion into Ryotwari) Bill, 1962 (L.A. Bill No. 4 of 1962), as amended by the Joint Select Committee, be taken into consideration.’

The motion was put and carried and the Bill as amended by the Joint Select Committee was taken into consideration.

Clauses 2 to 42 were put and carried.

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Clause 43.

MR. SPEAKER: The question is—

‘That clause 43 do stand part of the Bill.’

THE HON. SRI R. VENKATARAMAN: Sir, I move the following amendment:—

“For clause 43, substitute the following clause, namely:—

“43. *Lessee's right to collect arrears of rent.*—(1) Notwithstanding anything contained in this Act, all arrears of rent payable by a ryot to a lessee in respect of any land and outstanding on the appointed day shall, to the extent to which such arrears are in excess of the rent due for three fasli years in respect of that land, be deemed to be discharged whether or not a decree has been obtained therefor, if the ryot pays to the lessee the arrears of rent due for a period of any three fasli years.

(2) In any suit or proceeding for the recovery of any arrears of rent referred to in sub-section (1), the court or authority concerned shall, upon deposit in the court or before the authority, or upon proof by the ryot of the payment, of arrears of such rent for any three fasli years, dismiss the suit or proceeding.

(3) If before the appointed day any decree or order has been passed in any suit or proceeding for the recovery of any arrears of rent due from a ryot, which is inconsistent with the provisions of this section, the court or authority concerned shall, upon deposit in the court or before the authority, or upon proof of the payment, of the arrears of rent due from the ryot for any three fasli years and on the application of any person affected by such decree or order, whether or not he was a party thereto, vacate the decree or order:

Provided that nothing contained in this section shall apply to any suit or proceeding in which the decree or order has been satisfied in full, before the appointed day.

Explanation.—For the removal of doubts it is hereby declared that the payment or deposit of arrears of rent for three fasli years referred to in this section shall be payment or deposit made after the appointed day”.

It is in terms of the amendments moved to the other Bills.

MR. SPEAKER: The clause and the amendment are before the House for discussion.

திரு. இரா. நெடுஞ்செழியன்: கனம் அவைத் தலைவர் அவர்களே, எங்கள் கட்சியின் சார்பாக கனம் உறுப்பினர் திரு. வி. ஜே. விசுவநாதன் அவர்கள் கொண்டு வந்த திருத்தத்தின் கருத்து அமைச்சர் அவர்களால் கொண்டுவரப்பட்டுள்ள திருத்தத்தில் ஏற்றுக்கொள்ளப்பட்டிருக்கிற காரணத்தினால் அந்தத் திருத்தம் திரும்பப் பெற்றுக்கொள்ளப்படுகிறது என்று தெரிவித்துக்கொள்கிறேன்.

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MR. SPEAKER : It automatically goes.

திருமதி டி. என். அனந்தநாயகி : “ எனி தரீ இயர்ஸ் ” என்று போடலாமா அல்லது “ தரீ இயர்ஸ் ஜஸ்ட் ப்ரில்டிங் ” என்று போடலாமா? இதைப் பற்றி கொஞ்சம் களாரிலிபை பண்ணினால் நலமாக இருக்கும்.

திரு. சா. கணேசன் : கனம் சபாநாயகர் அவர்களே, ஆன் எபாயின்ட் ஆஃப் ஆர்டர், போன விஷயங்களை புனருத்தாரணம் பண்ணிக்கொண்டே வந்தால் எப்போது தான் காரியம் முடியும்?

கனம் சபாநாயகர் : இது பாயின்ட் ஆஃப் ஆர்டர் இல்லையே.

கனம் திரு. ஆர். வெங்கட்டராமன் : இந்த விஷயம் இந்த சட்ட சபையிலே நன்றாக விவாதித்து முடிவு செய்யப்பட்டது. “ப்ரிலீ டிங் தரீ இயர்ஸ்” என்று சொன்னால் ஏதாவது அதிகமாக இருக்கலாம். “எனி தரீ இயர்ஸ்” என்றால் எது ரயத்துக்குச் சாதகமாக இருக்கிறதோ அந்த வருஷத்தை எடுத்துக்கொண்டு கொடுக்கலாம்.

கனம் சபாநாயகர் : குறைவாக இருப்பதைப் பார்த்து செலக்ட் செய்து கொள்ளலாம்.

The amendment was put and carried.

Clause 43, as amended, was put and carried.

Clauses 44 to 53 and Schedules I and II were put and carried.

Clause I and the Preamble were put and carried.

THE HON. SRI R. VENKATARAMAN : Mr. Speaker, Sir, I move—

“ That the Madras Lease-holds (Abolition and Conversion into Ryotwari) Bill, 1962 (L.A. Bill No. 4 of 1962) as amended, be passed.”

MR. SPEAKER : The question is—

“ That the Madras Lease-holds (Abolition and Conversion into Ryotwari) Bill, 1962 (L.A. Bill No. 4 of 1962) as amended, be passed.”

The motion was put and carried and the Bill, as amended, was passed.

VIII—GOVERNMENT MOTION.

CHANGE IN THE ORDER OF BUSINESS.

THE HON. SRI R. VENKATARAMAN : Sir, under Rule 31 (3) of the Assembly Rules, I move—

“ That item No. III (3)—The Madras Inams (Supplementary) Bill, 1963 (L.A. Bill No. 21 of 1963) be taken up before item III (2)—The Madras District Police (Amendment) Bill, 1963 (L.A. Bill No. 13 of 1963).”

MR. SPEAKER : The question is—

“ That item No. III (3)—The Madras Inams (Supplementary) Bill, 1963 (L.A. Bill No. 21 of 1963) be taken up before item III (2)—The Madras District Police (Amendment) Bill, 1963 (L.A. Bill No. 13 of 1963).”

The motion was put and carried.